

**UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

Drew Heriot and Drew Pictures Pty Ltd.,	§	
	§	
<i>Plaintiffs,</i>	§	
	§	
vs.	§	Civil Case No. 08cv2272
	§	
Rhonda Byrne,	§	The Honorable Suzanne B. Conlon
The Secret LLC (AKA TS Holdings LLC)	§	
Prime Time US Inc.,	§	
TS Production Holdings LLC,	§	
TS Production LLC,	§	
TS Merchandising Ltd., And	§	
Robert E. Rainone Jr.	§	
	§	
<i>Defendants.</i>	§	

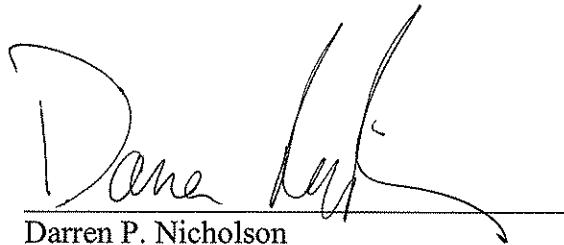
**DECLARATION OF DARREN P. NICHOLSON**

I, Darren P. Nicholson, declare under penalty of perjury, under the laws of the United States of America, that the following is true and correct, and is based upon my personal knowledge or upon information which has been provided to me by others and which I am informed and believe to be true, and to which I am competent to testify:

1. I am an attorney with the law firm of Sayles Werbner PC. I am admitted to practice before the courts of the State of Texas, the District of Columbia, the United States District Court for the District of Columbia, the United States Court of Appeals for the District of Columbia Circuit, and the United States District Courts for the Northern and Eastern Districts of Texas. I am one of the attorneys of record for Plaintiffs in this case and have been admitted in this case *pro hac vice*.

2. Attached hereto as Exhibit A is a true and correct copy of the cover letter and Notice of Motion filed by TS Productions LLC, which was filed with the Federal Court of Australia Proceeding No. VID 122 of 2008 on May 23, 2008.

Signed this 2nd Day of July, 2008, in Dallas, Texas.



A handwritten signature in black ink, appearing to read "Dane" followed by a stylized surname. Below the signature is a horizontal line.

Darren P. Nicholson

# **NICHOLSON DECLARATION**

## **EXHIBIT A**

**Arnold Bloch Leibler**

Lawyers and Advisers

23 May 2008

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**By Hand**

Our Ref JTV LZ  
File No. 011451706

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Selvay

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Leon Zwier  
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MELBOURNE  
SYDNEY

Dear Sirs and Madam

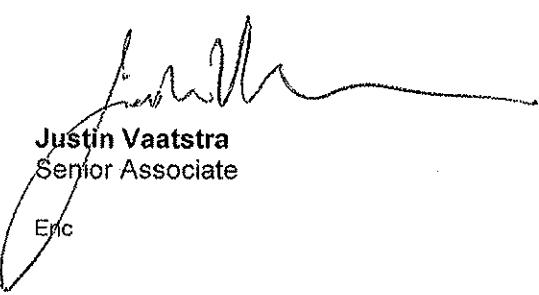
**TS Productions LLC v Drew Pictures Pty Ltd & Anor**  
**Federal Court of Australia Proceeding No. VID 122 of 2008**

Please find **enclosed** by way of service:

- (a) Notice of Motion dated 23 May 2008; and
- (b) Affidavit of Justin Vaatstra;

filed with the Federal Court Registry today.

Yours sincerely  
**Arnold Bloch Leibler**

  
**Justin Vaatstra**  
Senior Associate

EBC

Partners  
Mark M Leibler AC  
Robert J Heathcole  
Henry D Lanzer  
Joseph Borenszajn  
Leon Zwier  
Philip Chesler  
Ross A Paterson  
Stephen L Sharp  
Kenneth A Gray  
Kevin F Frawley  
Michael N Dodge  
Jane C Sheridan  
Steven Klein  
Leonie R Thompson  
Zavon Mardirossian  
Jonathan M Wenig  
Paul Sokolowski  
Paul Rubenstein  
Peter M Seidel  
Glen Selikowitz  
Alex King  
John Mitchell  
Dany Merkel  
Nicole Gordon  
Ben Mahoney  
Sam Dollard  
Lily Tell  
Henry Skene  
Andrew Silberberg

Senior Associates  
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Lisa Ashcroft  
Fiona Trueman  
Jonathan Milner  
Jillian Saint  
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Katie Morrison  
John Mengolian  
Melanie Alderton  
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Ashley Lewis  
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Leigh De Jong

Consultants  
Alan Fels AO  
Steven M Skals

IN THE FEDERAL COURT OF AUSTRALIA  
VICTORIA DISTRICT REGISTRY

No. VID 122 of 2008

TS PRODUCTION LLC

Applicant

DREW PICTURES PTY LTD

(ACN 088 783 000)

First Respondent

DREW HERIOT

Second Respondent

NOTICE OF MOTION

(Order 19, rule 2)

The abovenamed Applicant will at 10:15 am/pm on 11 July 2008, at the Federal Court of Australia, 305 William Street, Melbourne Victoria 3000 move the Court for orders that:

- 1 From the date of this order, the First and Second Respondents be and are hereby restrained, until determination of this proceeding (including any appeal) or until further order, from taking or causing to be taken any step in the proceedings commenced by them in the United States District Court for the Northern District of Illinois, Eastern Division, numbered 08CV2272 and captioned *Drew Heriot and Drew Pictures v Rhonda Byrne, The Secret LLC (AKA TS Holdings LLC), Prime Time US Inc., TS Production Holdings LLC, TS Production LLC, TS Merchandising Ltd. and Robert E Rainone Jr.*
- 2 That the Respondents pay the Applicant's costs of and incidental to this Notice of Motion.
- 3 Such further or other orders as the Court considers appropriate.

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Filed on behalf of the Applicant

**ARNOLD BLOCH LEIBLER**  
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DX: 38455 Melbourne

Solicitor's Code: 54  
Tel: 61 3 9229 9999  
Fax: 61 3 9229 9900  
Ref: LZ:JTV 011451706  
(Leon Zwier)

The time before which this notice of motion is to be served has not been abridged.

Date: 23 April 2008

  
**ARNOLD BLOCH LEIBLER**

Solicitors for the Applicant

TO: The Respondents.  
C/o The Respondents' Solicitors  
Mallesons Stephen Jaques  
Level 50 Bourke Place  
Melbourne VIC 3000

Version 1